

1 MELANIE A. HILL, ESQ.  
Nevada Bar No. 8796  
2 **MELANIE HILL LAW PLLC**  
520 S. 7<sup>th</sup> Street, Suite A  
3 Las Vegas, NV 89101  
Tel: (702) 362-8500  
4 Fax: (702) 362-8505  
Melanie@MelanieHillLaw.com  
5 *Attorney for Plaintiff Pamela Dittmar*

6  
7  
8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 \*\*\*\*\*

11 PAMELA DITTMAR,  
12  
13 Plaintiff,

14 v.

15 CITY OF NORTH LAS VEGAS, a municipal  
16 corporation,  
17 Defendant.

Case No. 2:17-cv-02916-JAD-BNW

**STIPULATION TO EXTEND  
DISPOSITIVE MOTION DEADLINE,  
RESPONSE DEADLINES, AND REPLY  
DEADLINES**

**SECOND REQUEST**

18  
19 NOW COMES the Plaintiff, Pamela Dittmar, by and through her attorneys, Melanie A.  
20 Hill and Melanie Hill Law PLLC, and Defendant, City of North Las Vegas, by and  
21 through its attorneys, R. Todd Creer, Kaitlin H. Paxton, and Kamer Zucker Abbott, who hereby  
22 stipulate that the dispositive motion deadline of March 1, 2021 be extended up to and including  
23 April 1, 2021 for Plaintiff.

24 This is the second request for an extension of the dispositive motion deadline. The first  
25 request was by stipulation to extend the dispositive motion deadline thirty (30) days from the  
26 extended discovery cutoff deadline to complete the remaining two depositions. This second request  
27 is by motion due to Plaintiff's counsel's ongoing illness with Covid-19 symptoms that have  
28 worsened since counsel for the parties met and conferred on the deadline on Wednesday, February

24, 2021. This Stipulation is made at the request of Plaintiff's counsel for the reasons set forth herein and this is the second request for an extension of the dispositive motion deadline.

In support of this Stipulation and Order, the parties state as follows:

1. The current deadline to file dispositive motions was March 1, 2021. When the parties previously entered into a stipulation to extend the dispositive motion deadline, it was to extend the dispositive motion deadline to thirty (30) days from the extended discovery cutoff deadline to complete the remaining two depositions.

2. Counsel for Plaintiff and counsel for Defendant met and conferred prior to the deadline and the parties could not agree on a stipulation.

3. Counsel for Plaintiff filed a motion for extension of the deadline on February 28, 2021 [ECF No. 87] stating that after meeting and conferring with Mr. Creer, counsel got sicker with new gastrointestinal symptoms the afternoon of February 24, 2021 preventing her from being able to work on Plaintiff's dispositive motion. The motion further provided that counsel for Plaintiff was awaiting further Covid-19 testing and additional testing to address her severe gastrointestinal symptoms. Based on the follow-up testing and her illness, counsel for Plaintiff requested a thirty (30) day extension of the dispositive motion deadline until April 1, 2021 to allow her to get the additional testing, recover from her illness, and finalize Plaintiff's dispositive motion.

4. In Response to Plaintiff's motion for an extension, the court entered an order giving the parties until March 3, 2021 to meet and confer on a stipulation and until March 5, 2021 to file a stipulation or Defendant's response if a stipulation could not be reached [ECF No. 89].

5. Defendant notes that Plaintiff's initial request for an extension of the dispositive motion deadline came after the 21-day deadline to make such a request pursuant to Local Rules had already expired. Defendant was not comfortable agreeing to an extension because it did not believe that good cause and/or excusable neglect could be shown and the Court already admonished Plaintiff to move the case forward. While receipt of Mayor Lee's deposition transcript took longer than expected, that issue could have been avoided by requesting an expedited transcript. Furthermore, Defendant was ultimately able to file its dispositive motion on the current dispositive motion deadline of March 1, 2021 even with delayed transcript. Despite the foregoing, Defendant is

1 sympathetic to Plaintiff's counsel's health concerns and recognizes the difficulties with the same. In  
2 that regard, Defendant has entered this stipulation so long as it is not prejudiced in preparing its  
3 briefs.

4 6. The parties met and conferred on March 3, 2021 and have agreed to extend the  
5 dispositive motion deadline to April 1, 2021. The parties have further agreed to extend the response  
6 deadline to file responses to the dispositive motions until April 22, 2021. The parties have further  
7 agreed that replies will be due on May 13, 2021. No other deadlines are being extended by this  
8 stipulation, such as the deadline for discovery and to file a motion to compel written discovery.

9 7. This stipulation to extend the dispositive motion deadline is brought in good faith,  
10 with a showing of good cause, and is not sought for any improper purpose or other purpose of  
11 delay, but to allow counsel for the Plaintiff additional time file her dispositive motion due to her  
12 illness and late receipt of Mayor Lee's deposition transcript. The thirty-day extension will allow  
13 counsel time to get the additional testing recommended by her doctor, recover from her illness,  
14 and finalize Plaintiff's dispositive motion.

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 WHEREFORE, the parties respectfully request by this stipulation that the Court extend  
2 the dispositive motion deadline of March 1, 2021 up to and including April 1, 2021. The parties  
3 further request that the Court extend the deadline to file responses to the dispositive motions until  
4 April 22, 2021 and the deadline to file replies to May 13, 2021.

5 DATED this 5th day of March, 2021.

6  
7 MELANIE HILL LAW PLLC

KAMER ZUCKER ABBOTT

8 By: /s/ Melanie A. Hill  
9 Melanie A. Hill, Esq. (NV Bar No. 8796)  
10 520 S. 7<sup>th</sup> Street, Suite A  
11 Las Vegas, Nevada 89101  
12 Telephone: (702) 362-8500  
13 Facsimile: (702) 362-8505  
14 Melanie@MelanieHillLaw.com  
15 *Attorneys for Plaintiff Pamela Dittmar*

By: /s/ R. Todd Creer  
R. Todd Creer (NV Bar No. 10016)  
Kaitlin H. Paxton (NV Bar No. 13625)  
3000 West Charleston Blvd., Suite 3  
Las Vegas, Nevada 89102  
Telephone: (702) 259-8640  
Facsimile: (702) 259-8646  
kpaxton@kzalaw.com  
*Attorneys for Defendant City of North  
Las Vegas*

13 ORDER

14 On the basis of good cause, IT IS ORDERED that the parties' stipulation is  
15 GRANTED. IT IS FURTHER ORDERED that the motion to extend time (ECF No. 87) is  
16 DENIED as moot.

17 IT IS SO ORDERED:



18 BREND A WEKSLER  
19 UNITED STATES MAGISTRATE JUDGE

20 Dated: 3/9/2021